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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,335	02/01/1999	XINZHONG LEON XU	99-P-7449-US	8596

7590 08/11/2005

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/241,335

Applicant(s)

XU, XINZHONG LEON

Examiner

Ovidio Escalante

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12, 14-21 and 27 is/are allowed.
- 6) ☒ Claim(s) 23-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on May 23, 2005. **Claims 1-12,14-21 and 23-27** are now pending in the present application.

Allowable Subject Matter

2. Claims 1-12,14-21,23 and 27 are allowed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Hammarström et al. US Patent 6,044,142.

Regarding claim 24, Hammarström teaches a method of modifying an interactive voice response system at run-time, (col. 2, lines 46-65; col. 3, lines 18-32; an operator will modify the callers automated service by selecting and sequencing service script modules (i.e. SIBs; col. 2, lines 2-5)), comprising:

executing the interactive voice response system, the system including a plurality of general-purpose blocks (service independent building blocks; col. 2, lines 2-16) and a plurality of transfer blocks that are configurable to transfer a call to a specified telephone number, (col. 3, lines 47-67; col. 4, lines 18-24; col. 8, line 5);

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modifying a configuration of a selected general-purpose block; and updating the configuration of the selected general-purpose block at run-time, (col. 3, lines 58-64).

Regarding claim 25, Hammarström teaches wherein modifying a configuration of a selected general-purpose block includes storing a configuration parameter in a database, (col. 3, lines 58-67).

Regarding claim 26, Hammarström teaches wherein an object monitors the database and sends a signal to the selected general-purpose block that the configuration has changed, (col. 8, lines 9-18).

Response to Arguments

5. Applicant's arguments filed May 14, 2004 have been fully considered but they are not persuasive.

Regarding claim 24, Applicants contend that Hammarström makes no mention of modifying a SIB or updating the configuration of a SIB at run-time as claimed. The Examiner respectfully disagrees.

As previously stated in the last office action the Examiner believes that Hammarström anticipates claim 24 in view of Applicant's arguments. Applicants contend that Hammarström does not teach, "modifying a configuration of a selected general-purpose block"; and "updating the configuration of the selected general-purpose block at run-time". The Applicants also stated that executing a SIB to implement an operator-initiated command in the context of a service is not the same as modifying the configuration of the SIB or updating the configuration of the SIB.

The Examiner respectfully disagrees since Hammarström teaches that SIBs are used to process a call and when a customer wants additional service then an operator can modify the

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SIBs so that the customer requested service can be setup. Since an operator is able to modify a customer's service by using SIBs and since the network is able to initiate the service in real time then the Examiner believes that Hammarström teaches of modifying a configuration of a selected general-purpose block; and updating the configuration of the selected general-purpose block at run time, (col. 3, lines 58-67).

In col. 3, lines 58-67, Hammarström teaches that an operator can configure the service by executing one or more SIBs to implement the operator initiated command in the context of a service script. The operator can also reconfigure or rearrange the SIB blocks so that they can perform a desired service. Claim 24 merely calls for modifying a configuration of a selected general-purpose block and updating the configuration of the selected general-purpose block at run-time. The Examiner maintains that Hammarström teaches of a caller desiring a specific service and when the IN determines that that particular service cannot be normally executed then an operator can reconfigure the arrangement or add individual SIBs so that the system can execute the required service. Concerning the argument that executing a SIB to implement an operator-initiated command in the context of a service is not the same as modifying the configuration of the SIB or updating the configuration of the SIB, the Examiner disagrees since col. 3, lines 58-67, clearly states that the operator can compose several SIBs so that they can execute a desired service. Thus the Examiner maintains that Hammarström teaches modifying a configuration of a selected general-purpose block"; and" updating the configuration of the selected general-purpose block at run-time.

Regarding claims 25 and 26, since Hammarström uses SIBs and can reconfigure the arrangement of the SIBs to perform a desired service, then configuration information is stored

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since the operator is able to reconfigure the arrangement to perform any service that a caller needs.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7537, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building

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401 Dulany Street
Alexandria, VA 22314

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 571-272-7537. The examiner can normally be reached on M-Th from 6:30AM to 4:00PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OVIDIO ESCALANTE
PATENT EXAMINER

Ovidio Escalante

Ovidio Escalante
Examiner
Group 2645
August 4, 2005

O.E./oe